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VPI00-115 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Not Yet Assigned  
Group Art Unit: Not Yet Assigned  
Applicant: Keisuke Kuida, et al.  
Serial No.: 09/888,182  
Filing Date: June 22, 2001  
For: ERK-5 DEFICIENT ANIMALS AND  
METHODS OF INHIBITING  
ANGIOGENESIS THROUGH THE  
INHIBITION OF ERK-5

Cambridge, Massachusetts  
October 15, 2001

Hon. Assistant Commissioner  
For Patents  
Washington, D.C. 20231

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PETITION UNDER 37 CFR 1.53(b)

As indicated in the Notice of Incomplete Nonprovisional Application dated August 23, 2001, the filing date has been withheld on the above-identified application due to the application being filed without Figures 1 through 6 which are referred to in the specification. Applicant inadvertantly omitted Figures 1 through 6 in the above-identified application as filed. Because Figures 1 through 6 are not necessary for the understanding of the subject matter sought to be patented, said Figures do not fall under the scope of USC §113 (first sentence). In order to rectify the inadvertant error, applicant has concurrently submitted

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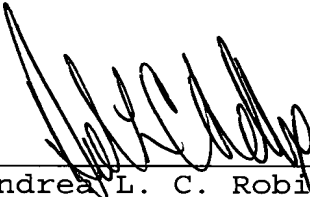
Adjustment dated 09/11/2002 AXELLEY 09888182  
04/17/2002 WARRHAM 00000030 500725  
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09/11/2002 AXELLEY 00000008 500725 09888182  
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herewith a preliminary amendment to amend the specification to delete all reference to said Figures.

Applicants respectfully request that the filing date of June 22, 2001 be granted for the above-identified application.

Applicants authorize the Commissioner to charge any petition fee due to Deposit Account No 50-0725. Because the application is entitled to the original filing date of June 22, 2001, applicants request, under 37 CFR 1.26(a), a refund of any petition fee charges to be credited to Deposit Account No. 50-0725.

Respectfully submitted,



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